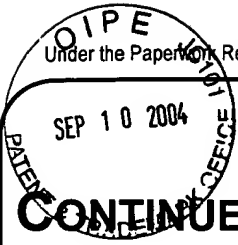


IFW Rec/1614

PTO/SB/30 (08-00)
OMB 0651-0031

Approved for use through 10/31/2002. U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/863,035
Filing Date	MAY 22, 2001
First Named Inventor	Burzynski
Group Art Unit	1614
Examiner Name	COOK, REBECCA
Attorney Docket Number	10379.0047.DVUS01

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to application Examination and Provisions Application Practice, Fine Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. ☐ Other _____
- b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☒ Information Disclosure Statement (IDS)
 - iv. ☒ Other Form 1449 and Reference

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-2508/10379.0047.DVUS01
 - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) in the amount of \$385.00
 - ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (as authorized on enclose extension petition) \$55.00
 - iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ Enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Matthew L. Madsen	Registration No. (Attorney/Agent)	45,594
Signature)	<i>Matthew Madsen</i>	Date	Sept. 8, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, MS RCE, P.O. Box 1450 Alexandria, VA 22313-1450 on:

Name (Print/Type)	PAULA S. LINKHART	Date	Sept. 8, 2004
Signature	<i>Paula S. Linkhart</i>		



CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on the date below:

Sept. 8, 2004
Date

Rula S. Linkhart
Signature

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Stanislaw R. Burzynski

Serial No.: 09/863,035

Filed: MAY 22, 2001

For: TREATMENT REGIMEN FOR
ADMINISTRATION OF
PHENYLACETYLGLUTAMINE,
PHENYLACETYLISOGlutAMINE
AND/OR PHEYLACETATE

Confirmation No.: 1265

Group Art Unit: 1614

Examiner: COOK, REBECCA

Atty. Dkt. No.: 10379.0047.DVUS01

**SUBMISSION UNDER 37 C.F.R. § 1.114 IN
RESPONSE TO FINAL OFFICE ACTION DATED MAY 21, 2004**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted as part of a Request for Continued Examination (RCE) with the appropriate fee. It is believed to be fully responsive to the Final Office Action dated May 21, 2004, for which the three-month date for response was August 21, 2004. Also provided herewith is a Request for Continued Examination, a Supplemental Information Disclosure Statement, a Form 1449, and copies of the references listed in the Form 1449.

A request for a one-month extension of time to respond is included herewith along with the required fee. This one-month extension will bring the due date to September 21, 2004, which is within the six-month statutory period. The Commissioner is authorized to charge the fee of **\$55.00** to Deposit Account No. 01-2508/10379.0047.DVUS01 for this one-month extension. Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/**10379.0047.DVUS01**.

Reconsideration of the application in view of the following amendments and remarks is respectfully requested.